

EXHIBIT 1

Grand Jury Subpoena

United States District Court
SOUTHERN DISTRICT OF NEW YORK

TO: Spartan Capital Securities, LLC
c/o Jordan Meadow as custodian of records

GREETINGS:

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the GRAND JURY of the people of the United States for the Southern District of New York, at the United States Courthouse, 40 Foley Square, Room 220, in the Borough of Manhattan, City of New York, in the Southern District of New York, at the following date, time and place:

Appearance Date: May 30, 2023

Appearance Time: 10:00 AM

to testify and give evidence in regard to an alleged violation of:

18 U.S.C. §§ 371, 1343, 1348, and 1349; 15 U.S.C. §§ 78j(b) and 78ff

and not to depart the Grand Jury without leave thereof, or of the United States Attorney, and that you bring with you and produce at the above time and place the following:

See Attached Rider

N.B.: Personal appearance is not required if the requested information is (1) produced on or before the return date to SA Kelly Milliman, Federal Bureau of Investigation, 215-514-1624, kamilliman@fbi.gov, and (2) accompanied by an executed copy of the attached Declaration of Custodian of Records. Please provide the information in electronic format if available.

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: New York, New York
May 16, 2023

Damian Williams/nf
DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

Nicholas Folly
Nicholas Folly
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Telephone: (212) 637-1060



RIDER

(Grand Jury Subpoena Spartan Capital Securities, LLC
c/o Jordan Meadow as custodian of records, dated May 16, 2023)

Definitions and Instructions:

1. This Subpoena calls for the production of records and documents – including emails and other electronic communications – in the possession, custody or control of **Spartan Capital Securities, LLC** (the “Company”), or in the possession, custody or control of any employee, officer, principal, or board member of the Company, including each and every record that is under the Company’s control but is not in its immediate possession, including electronic data stored on any desktop computer, laptop, home computer, smartphones (e.g., iPhones and Blackberries), cellular phone, or any other electronic device or removable media, or back-up servers containing such information. This Subpoena also covers any data in cloud storage or cloud-based applications, including website data, encrypted messaging applications, or chat software. This Subpoena also calls for the production of any and all deleted files or documents on any of the storage-media listed above which are responsive to this Subpoena.
2. The terms “records” and “documents” as used herein includes writings, emails, text messages, chat messages (including, but not limited to, iMessage, Signal, Telegram, Viber, Discord, Snapchat, Wickr, WeChat, and WhatsApp messages), drawings, graphs, charts, calendar entries, photographs, audio or visual recordings (including voicemails), images, and other data or data compilations, and include materials in both paper and electronic form.
3. This Subpoena applies to any responsive records and documents wherever they may be found, including the Company’ files, computers, computer servers, email servers, as well as personal electronic devices, email accounts, or personal email servers used by employees, officers, principals, or board members of the Company’ to conduct the Company’ business.
4. This subpoena does not call for the production of any records or documents protected by a valid claim of privilege, although any responsive document over which privilege is being asserted must be preserved. Any records or documents withheld on grounds of privilege must be identified on a privilege log with descriptions sufficient to identify their dates, authors, recipients, and general subject matter.

Materials to be Produced:

For the years: **2020 - Present**

1. Please provide any and all records and documents in your possession pertaining to the following entities:
 - a. Score Media and Gaming Inc.

- b. Penn National Gaming, Inc.
 - c. Five Prime Therapeutics (ticker symbol – FPRX)
 - d. CDK Global (ticker symbol - CDK)
 - e. Paper Excellence
 - f. Domtar Corporation (ticker symbol – UFS)
 - g. Thoma Bravo
 - h. Proofpoint, Inc.
 - i. Broadcom
 - j. VMWare Inc.
 - k. Lordstown Motors Corp. (ticker symbol – RIDE)
 - l. Alzamend Neuro Inc. (ticker symbol – ALZN)
2. Please provide any and all records and documents in your possession reflecting any discussion of potential corporate mergers or acquisitions, corporate developments, trade confirmations, accounts statements, or investments, with any of the following individuals:
 - a. Chris Farrant
 - b. Stephanie Kotevski
 - c. Steven Teixeira
 - d. Connor Breisacher
 - e. Eric Lehrer

In lieu of hard copies, records are requested in digital format if available and appropriate. Data may be provided on compact disc (CD) or digital versatile disc (DVD). An index for the data is also requested. You may comply with this subpoena by providing the requested materials to:

Kelly Milliman
Special Agent, Federal Bureau of Investigation
215-514-1624
kamilliman@fbi.gov

Declaration of Custodian of Records

Pursuant to 28 U.S.C. § 1746, I, the undersigned, hereby declare:

My name is _____.
(name of declarant)

I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this declaration.

I am in receipt of a Grand Jury Subpoena signed by AUSA Nicholas Folly, requesting specified records of the business named below. Pursuant to Rules 902(11) and 803(6) of the Federal Rules of Evidence, I hereby certify that the records provided herewith and in response to the Subpoena:

- (1) were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
- (2) were kept in the course of regularly conducted business activity; and
- (3) were made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____.
(date)

(signature of declarant)

(name and title of declarant)

(name of business)

(business address)

Definitions of terms used above:

As defined in Fed. R. Evid. 803(6), "record" includes a memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses. The term, "business" as used in Fed. R. Evid. 803(6) and the above declaration includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.